

## SUBWAY IN DARKNESS BLAME PLACED ON FIRE MARSHAL

Show Few Collapsed Amid  
Fumes, but Many in  
Terror Later.

### ONLY SIX IN HOSPITALS

Rapid Recoveries Indicate  
Effect of Chemical Was  
Not Serious.

### NO THIRD RAIL DANGER

Guards Say Passengers Did  
Not Leave Cars Until the  
Power Was Shut Off.

Many investigations of the cause and peculiarities of the short-circuiting and subsequent smoke and fumes danger to 400 persons in the Lexington avenue subway on Thursday were actively under way yesterday, all aiming at constructive recommendations which would make such menaces to travel upon any of the city transportation lines impossible, and all with an eye more to the future than to the past. These are the inquiries being conducted by the Transit Commission, various city departments, the Interborough and the New York Board of Fire Underwriters. None has progressed to a point at which conclusions are possible, though the Transit Commission, the Interborough and the Fire Marshal virtually agree on these points:

1. Nervous apprehension or actual fear was probably more responsible for many persons being overcome than smoke or fumes.

2. There is no evidence to warrant putting the blame for the partial asphyxiation of many persons upon the type of chemical extinguishers used in the subway.

3. The tube was not at any time in darkness, the emergency lights, one in each end of every car, fed by storage batteries, continuing to burn. As did the lights on the walls of the tubes between stations. Lights served by a different circuit than that which supplied the third rail.

### No Third Rail Danger.

4. Nobody fleeing from the train or the tube was required to cross tracks or to be exposed to the third rail. A sidewalk runs all the way between the tracks and the walls of the tube. The third rail power was killed before anybody left the train.

5. The passengers were not forced to climb sheer ladders through narrow manholes but emerged by means of circular stairways at the several emergency exits.

No blame seems attachable to any person, since the subway employees seem to have acted well and to have done their duty, and it is not yet discernible what blame can be attached to the system of operating trains or the system of power transmission.

7. There need be little apprehension as to the part of the police in the recurrence of the accident of Thursday, since it was the first of its kind in seventeen years in millions of trains that have been operated. Such smoke and fumes, if avoidable could not occur in the open air on the elevated systems.

These points represent the main facts that have been brought out by the three serious investigations, all three of which promise thorough inquiry into all the circumstances of the accident and a complete report to the public. The Transit Commission's inquiry is being prosecuted through its engineers. The Interborough is at work with its technical experts. The Fire Marshal is questioning many witnesses, including the crew of the train involved in the accident.

### Guards Used Extinguishers.

Deputy Fire Marshal John P. Prial had before him yesterday J. J. Dwyer, conductor of the train, and Martin Mullahy and Michael James, guards. The conductor testified that he and the other guards refused to open the doors until the power was turned off, but that he and most of the others were forced to open them by the clamor of the passengers. "It was his opinion that the power had been shut off by the time the passengers started to leave the train."

Mullahy, guard of the car in which the fire started, said that it was one of the passengers who first turned a chemical extinguisher upon the fire in the motor vestibule, but that he also seized an extinguisher and emptied its contents. The flame promptly disappeared, but the smoke continued to come out of the vestibule. Mullahy said that no passengers left the train while the third rail was alive. These statements were corroborated by the testimony of Jacobo, who said he used an extinguisher. He said Conductor Dwyer gave orders to open the doors as soon as power was shut off. The investigations indicated that few if any persons were overcome by smoke or fumes while aboard the train itself, and that very few needed any help in climbing the stairway emergency exits. It was after they reached the open air and the reaction from their experience hit them that many felt weak and had to have restoratives applied. Apparently nobody was in danger at any time from the third rail, nor did anybody have to walk in darkness. The light was dim, but sufficient for rapid walking along a perfectly burning rubber leading from the side of the train to the emergency stairways.

### Only Six Left in Hospitals.

The investigations show that some people were knocked down and injured in the general scramble for the train, though no one was seriously hurt, just as no one was for long incapacitated by breathing the fumes of burning rubber and metal. Only six persons were left in the hospitals last evening, and all were on the point of being discharged.

The Mayor, who is conducting several different kinds of investigations of the accident, called on Commissioner of Accounts Hirschfeld to summon all persons who were passengers on the train and question them in an effort to fix the cause of the smoke and fumes trouble. Commissioner Hirschfeld accepted the call with alacrity and said that he would set a date soon for the hearing. Simultaneously John P. O'Brien, Corporation Counsel, issued a

## POLICEMAN RUNS AMUCK, CLUBS FOUR, IS ALLEGED

District Attorney Investigating Report of Sergeant  
Rushing to Scene and Finding Patrolman in Door-  
way With Victims Nearby—Still on Beat.

Information that Patrolman Martin Brennan of the Mercer street station went on a rampage Wednesday night and made unprovoked attacks upon four defenseless citizens with his nightstick became known yesterday when Thomas Underhill, Police Inspector of the Second district, started an investigation of the conduct of the policeman. At the same time John H. Banton, District Attorney, is looking into the complaints that have been made against the policeman through the office of District Attorney P. Howard, who is assigned to Essex Market court.

A citizen went to the Mercer street station Wednesday night and reported to Sergeant Frank Woods that a policeman was running amuck in Mott street and striking everybody within reach with his nightstick. Woods found Brennan standing in the doorway of 301 Mott street, not far from Police Headquarters, and near by were four men bleeding from wounds, who said that they had been assaulted by the policeman. The men who were taken to the hospital were G. Leccese of 234 Mott street, John Albanese of 251 Elizabeth street, Gus-

tavo Stefano of 255 Lafayette street and Antonio Comasta of 233 Mott street. Comasta's jaw was badly swollen as a result of blows on the face and Stefano had ugly lacerations of the lips. Inflicted, he said, when Patrolman Brennan beat a tattoo on his face with his club. The two others complained that they had been beaten on the arms.

Sergeant Woods took Brennan and the four men he is alleged to have assaulted to the station house. The men said they were not given much attention there. They accordingly filed a complaint with the District Attorney, who has undertaken a thorough investigation of the case.

The four men said that Brennan appeared to be under the influence of liquor when he attacked them. Police Surgeon Oatler examined the policeman several hours later and reported that he had found him to be sober.

Despite the charges that have been made against the policeman and the investigation now under way by his superior officer to determine whether they are true Brennan is not under suspension. He is still patrolling the same beat on which he is alleged to have run wild Wednesday night.

## POWER HOUSE COSTS \$5,300,000 TOO HIGH

### Shearn Applies Shrinkage

Test to N. Y. Railways Ex-  
pert Appraisals.

When the Transit Commission resumed its valuation hearing yesterday in the case of the New York Railways Company Clarence J. Shearn, chief counsel for the commission, continued to apply his shrinkage process to the \$14,000,000 appraisal figure placed upon the properties by the experts of Stone & Webster, in behalf of the company, on a basis of reproduction cost.

In the schedule of company expenses during the period of theoretic reconstruction—Herman Joseph Strobel, one of the Stone & Webster engineers, had included a charge of \$1,600,000 for taxes to be levied during the construction period.

"I think the commission will take note," commented Judge Shearn, "that no taxes are levied on work under construction in the city of New York."

When the appraisal of \$12,300,000 placed upon the Ninety-sixth street power plant was under consideration the cross-examiner asked Dr. Charles W. Kellogg, another Stone & Webster expert, if he would advise any client who wanted a power plant for the purpose of producing electric power to pay anything like \$12,300,000 for that particular plant. The witness admitted that he would not.

It was asserted that the plant is obsolescent in type and equipment, whereas the Interborough's Seventy-fourth street power plant cost only \$7,000,000, is the most modern type of power plant and efficient power plant in the city.

The company appraisers also had charged in a large item for interest to be paid to stockholders. "If I am right in my assumption," Shearn asked, "your estimate on interest would be about \$2,350,000 too high."

"If you are right in your assumption, yes," the witness admitted. The hearing will be resumed next Monday morning.

Bids will be received July 25 for changes in the Queensboro Plaza station to permit the operation of B. R. T. shuttle trains over the Corona and Astoria lines, and for the operation of the Corona line over the Astoria line.

Corporation Counsel John P. O'Brien issued a statement yesterday concerning the power house breakdown a fortnight ago, which caused an interruption of service. "It is now two weeks and a half," he said, "since a serious breakdown occurred in the operation of the Interborough's power house system, but the Transit Commission has conducted no public hearings nor made any move to treat that unusual and critical situation with any degree of seriousness."

"In behalf of the Mayor I demand that it hold a public investigation, so that the public may understand just what are the shortcomings of the power plant management of the Interborough Company and what should be done to remedy them."

"Incidentally, all this talk about poor quality of the Interborough's coal sounds strange when we recall the testimony of Mr. Hedley given recently in defense of the purchase of the coal and the fact that the coal is of inferior quality."

Breakdowns and interruption of service has presented a serious question which should not be smeared over by a perfunctory, sophomoric report of the public man's engineer. The public will expect Chairman McGowan to conduct in this matter a serious public investigation, where Mr. Hedley and his engineers may be searching cross-examined."

## SEVEN MEN NABBED AS BLACKMAIL GROUP

### Costly Motors Also Seized in Atlantic City Raid.

Special Dispatch to The New York Herald.—ATLANTIC CITY, July 7.—Seven men who have been under investigation by the Federal Bureau of Investigation for two months were arrested to-night and taken to the Federal house of detention here, charged with being members of a band which has blackmailed many citizens of New York, Philadelphia and other cities. The men, who are being held in a room at a hotel here, are: Donald C. Lloyd, 14 West 14th street; Thomas McCarthy, 104 West 14th street; Nicholas Baccaroli, 321 East 17th street; Charles Mercer of the Landis Hotel; all New York addresses; and Edward Lewis of 48 Huron road, Cleveland, and Joseph E. Ryan of 214 Edgewood avenue, Baltimore.

Detectives said that the seven had been traveling about in the city in three expensive automobiles, all of which have been confiscated. They said they found marked cards, loaded dice, handcuffs, revolvers and bogus detective badges on the men. Capt. A. J. DeLoach said that the men were charged with being members of a band which has blackmailed many citizens of New York, Philadelphia and other cities. The men, who are being held in a room at a hotel here, are: Donald C. Lloyd, 14 West 14th street; Thomas McCarthy, 104 West 14th street; Nicholas Baccaroli, 321 East 17th street; Charles Mercer of the Landis Hotel; all New York addresses; and Edward Lewis of 48 Huron road, Cleveland, and Joseph E. Ryan of 214 Edgewood avenue, Baltimore.

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## ALL BEST WHISKY MARKS AND U. S. STAMP READY TO GO ON BOTTLES.

### THREE ARE ARRESTED

Two of Prisoners Have  
Been Here Only 2 Months  
From Italy.

### REISENWEBER'S WARNED

Will Be Shut If It Breaks the  
Law Again—Agents Get  
Fleet of Fishing Boats.

Thousands of imitation labels of the best known brands of whiskies, stickers bearing the inscription, "Bottled Six Years," and a stack of counterfeit revenue stamps several feet in height were seized yesterday when detectives on a hunt for a supposed illicit distillery ran across a printing plant in a dingy attic of a five story building at 581 Broome street.

On the top floor of the adjoining building at 589 Broome street the detectives found 300 bottles of alleged liquor, the bottles bearing labels and revenue stamps of the same kind as those found in the printing shop. The detectives also found various sized washbubs, boilers and other containers, several five gallon empty cans of alcohol and bottles of coloring matter.

The printing plant was said by Department of Justice agents who accompanied the detectives to be one of the most complete of its kind ever found in New York. Two presses for the engraved plates and other valuable printing machinery were capable, it was said, of supplying labels and stamps for all of the colored alcohol bottled here daily and sold by bootleggers for bonded liquor.

### Man Found Under Papers.

Three men were arrested in the two places. Pasquale Gesualdi of 624 North Utrecht avenue, Brooklyn, was found under a pile of old papers in the rear of the printing plant. He will be arraigned in the First district court today and held for Federal authorities on a charge of counterfeiting. Michele Parris, 27, and Giuseppe Guerra, 22, were arrested in the other building.

Gesualdi denied ownership in the printing shop, declaring he had been out of work and had been hired a month ago to watch the plant and to tend the printing press. He said he was the owner, whom he only knew by sight, came to the shop every day and got a bundle of labels and stamps.

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The raid was under the direction of Inspector Thomas V. Underhill, who said he had had reports of a printing shop in the neighborhood of Broome street. He said he had had reports of a printing shop in the neighborhood of Broome street. He said he had had reports of a printing shop in the neighborhood of Broome street.

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## INFANT MORTALITY RATE LOWEST HERE OF ANY CITY IN WORLD

Copeland's 1921 Report Shows Rate Has Fallen From  
241 a Thousand to 71 and in Bronx and Brooklyn  
to 65 and 63 for Babies Under One Year.

The infant mortality rate in New York in 1921 was the lowest ever reached by any city in the world, according to the report of Dr. Royal S. Copeland, Health Commissioner, which was issued yesterday. In that year only seventy-one babies out of every thousand died in the Greater City, while in the boroughs of The Bronx and Brooklyn the rates were, respectively, sixty-five and sixty-three.

"In thirty years," says the report, "the death rate of children under five has fallen from ninety-seven per 1,000 to twenty-four per 1,000. In the same time the death rate among infants under one year of age has fallen from 241 per 1,000 to seventy-one per 1,000, a saving of more than 20,000 babies every year."

"It was not until 1891 that a real campaign was instituted for the correction of the evils associated with the distribution of milk. In that year Nathan Straus started his campaign for pure milk. A few years later he instituted the milk pail should be pasteurized. There was much opposition to his views, so in order to demonstrate the truth of his theory he established milk depots. This pioneer work of Mr. Straus, together with the development of the baby health stations, has resulted in a wonderful lowering of the infant mortality rate."

Dr. Copeland's report also says that

the death rate of the whole city has been reduced from 28 per 1,000 to 11 per 1,000 of population. This, he declares, means that 100,000 lives are saved last year in Greater New York and that 1,000,000 cases of illness were prevented. These things he translates into dollars and cents:

"Assuming that an average life is worth \$500," says the report, "that the average duration of each case of illness is ten days, and that the average cost of each day's illness by reason of loss of work and medical care is \$5 a day, this would make a total saving of approximately \$100,000,000, about twenty times the annual budget of the Department of Health."

In the whole of New York City in 1921 there were but twenty-nine cases of smallpox, because the people have learned the value and the necessity of vaccination. Tuberculosis of the lungs has been largely prevented and controlled, so that in 1921 the death rate from this disease was 89 per 1,000 of the population. In 1871 the death rate was 406, and had this same rate prevailed last year there would have been 23,350 deaths from tuberculosis in the city instead of 5,125. Typhoid fever, which was so rare that the death rate last year was only two per thousand of population. Cancer, however, increased, with 5,573 deaths in 1921.

## WARD PLOT CENTERS ON THREE IN FAMILY

If Conspiracy Action Fails,  
Grand Jury May Start An-  
other Inquiry.

The conspiracy proceedings brought against the members of Walter S. Ward's family fail to disclose the nature of the blackmail plot which Ward ordered as an excuse for killing Clarence E. Peters. It is probable that the June Western Grand Jury will institute another investigation.

Plans that the authorities believe at least four persons besides Walter Ward know the Ward secret. They are his father, George S. Ward; his brother, Ralph; his wife and his mother-in-law, Mrs. N. Willard Curtis. George Ward was charged with the murder of Clarence E. Peters. Mrs. Ward stood on the stand and testified before the grand jury that she had no knowledge of the plot.

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## BLAME TOWER MAN AND DEAD ENGINEER

Investigators Say Atlantic  
City Flier Passed Signals  
Set Against It.

CAMDEN, N. J., July 7.—Responsibility for the wreck of the "midnight flier" on the Philadelphia and Reading Railway Sunday night at Winslow Junction, in which seven men died, was placed today upon John De Walt, the Winslow towerman, and Walter Westcott, the engineer, by representatives of the Camden investigating committee. The investigation will be concluded to-morrow.

The investigators' report, it was said, will lay responsibility upon De Walt for not reporting properly the empty train preceding the express and for not availing himself of the means of identifying the train. De Walt, who lives at 1100 Westcott street, in Camden, N. J., was charged with the murder of Clarence E. Peters. Mrs. Ward stood on the stand and testified before the grand jury that she had no knowledge of the plot.

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